

REMARKS

Claims 1-17 and 26-33 are pending in this application. By this Amendment, claims 1, 2, 4-13, 15, 17, 26, 29 and 32 are amended. Support for the amendments to the claims can be found, for example, in paragraphs [0060]-[0062] and [0081] of the original specification, and Fig. 6 of the original disclosure. No new matter is added. Applicants respectfully request reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

The courtesies extended to Applicants' representative by Examiners Najee-Ullah and Thomas at the interview held January 5, 2010 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

The Office Action objects to the specification under 37 C.F.R. §1.75(d)(1) and MPEP §608.01(o) for allegedly failing to provide antecedent basis for the claimed subject matter; rejects claims 1-3, 10-13, 15, 17, 26 and 29-33 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement; and rejects claims 1, 17 and 29 under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Applicants respectfully traverse the objection and the rejections.

As discussed during the January 5, 2010 personal interview, support for the matter recited in the above claims can be found, for example, in paragraphs [0060]-[0062] and [0081] of the original specification. Specifically, paragraph [0060] discloses a communication system with a SW I/F 60 provided on the top surface of the casing 81, as illustrated in Fig. 3. The casing 81 includes openings 84 at positions corresponding to interface units 64 of the SW I/F 60 (paragraph [0060]). A plurality of switch devices 90 are mounted to the interface units 64 through the openings 84 (paragraph [0060]). Based on the entire disclosure of the current application, a skilled artisan would understand that the switch

devices 90 are examples of the claimed portable operation member. A skilled artisan would also understand that a user of the communication system places a switch device 90 in the interface unit 64.

Further, each interface unit 64 includes a first circuit (paragraph [0061]). When the switch device is attached to the interface unit 64, the first circuit activates and a notifying signal that notifies that a switch device 90 is coupled is transmitted to a CPU 12 (paragraph [0061]). Thus, at least paragraphs [0060] and [0061] support "an operation detecting unit configured to detect, in a state that the portable operation member is already inserted into the opening of the interface unit," as recited in the independent claims.

Additionally, each interface unit 64 also includes a second circuit that activates when the switch device 90 is depressed in the direction of the broken line illustrated in Fig. 3 (paragraph [0062]). When the switch device 90 is depressed, the switch device 90 and the CPU 12 can perform data communication through the second circuit and a bus 70 (paragraph [0062]). Paragraph [0081] also teaches that the signal received by the SW I/F 60 is a depression notifying signal that notifies that the switch device is depressed.

A skilled artisan would interpret that depressing an article (switch device 90) constitutes a mechanical operation on the article. For example, a definition of the term "mechanical" is "relating to, produced by, or dominated by physical forces" and depressing an object is caused by a physical force on the object (THE AMERICAN HERITAGE COLLEGE DICTIONARY, 4th ed.). At least because paragraphs [0062] and [0081] disclose that the switch device 90 is depressed, at least paragraphs [0062] and [0081] support that "the portable operation member is mechanically operated by a user."

At least for the above reasons, as discussed during the January 5, 2010 personal interview, the specification provides antecedent basis for the claimed subject matter under 37 C.F.R. §1.75(d)(1) and MPEP §608.01(o); claims 1-3, 10-13, 15, 17, 26 and 29-33 are

sufficiently described in the specification under 35 U.S.C. §112, first paragraph; and claims 1, 17 and 29 under 35 U.S.C. §112, second paragraph, are definite. Applicants respectfully request withdrawal of the objection and the rejections.

The Office Action rejects claims 1-17 and 26-33 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2002/0156923 (Tanimoto) in view of JP A 2002-091856 (Shigeru). Applicants respectfully traverse the rejection.

Tanimoto in view of Shigeru fail to disclose, and would not have rendered obvious, the combination of features recited in claims 1, 17, 26 and 29, including an operation detecting unit configured to detect that the portable operation member is inserted into the opening of the interface unit when the first circuit activates and that the portable operation member is mechanically operated by a user when the second circuit activates, as variously recited in the claims.

The Office Action concedes that Tanimoto fails to disclose, in part, the claimed operation detecting unit (Office Action, page 6). The Office Action alleges that the combination of Tanimoto with Shigeru cures this deficiency (Office Action, page 6). Applicants respectfully assert that Tanimoto does not.

The Office Action asserts that, because there is allegedly no clear definition of a "mechanical" operation of the portable operation member in the original disclosure, this feature is given the broadest reasonable interpretation (Office Action, page 4). The Office Action further alleges that the only operational interfaces in the original disclosure are the user interface (presumably the user I/F 40) and the switch interface (presumably the SW I/F 60) (Office Action, page 4). The Office Action alleges that these two interfaces functionally correspond to Shigeru's touch panel keyboard operating in conjunction with Shigeru's IC card inserted into Shigeru's IC card reader (Office Action, page 4). The Office Action alleges that a user operating Shigeru's touch panel keyboard to access information on the IC card

corresponds to a mechanical operation of either the user interface or the switch interface to access information on the portable operation member (Office Action, pages 4-5). Applicants assert that the above analysis is incorrect, as tentatively agreed by Examiners Thomas and Najee-Ullah during the January 5, 2010 personal interview.

As discussed above, the original disclosure clearly supports a mechanical operation on the portable operation member. A mechanical operation on the user interface or the switch interface is not sufficient to correspond to a mechanical operation on the portable operation member. Thus, a user operating Shigeru's touch panel keyboard to access information on the IC card is not sufficient to correspond to a mechanical operation of a portable operation member. Because the Office Action alleges that Shigeru's IC card corresponds to the portable operation member, it is unreasonable for the Office Action to allege that a mechanical operation of a user depressing keys of Shigeru's touch panel keyboard corresponds to a mechanical operation of a portable operation member. Any alleged mechanical operation has to be on Shigeru's IC card.

At least because Shigeru fails to disclose such a feature, Shigeru fails to disclose the above-recited features as variously recited in independent claims 1, 17, 26 and 29. Accordingly, Tanimoto in view of Shigeru fail to disclose and would not have rendered obvious claims 1, 17, 26 and 29. Claims 2-16 and 27, 28 and 30-33 are also not disclosed by, nor would have been rendered obvious over, the applied references for at least the same reasons.

Accordingly, Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Request for Continued Examination

Date: January 25, 2010

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